

Application No.: 10/743,389

Docket No.: 21581-00310-US

REMARKS

Claims 1-3 and 7-21 are now in the application. The recent personal interview so courteously granted by Examiner Krueger is hereby noted with appreciation.

Claim 2 has been amended to include recitations from original claim 4. Claim 21 combines claim 2 with recitations from original claims 5 and 6 and to further recite "containing no chromium" as disclosed in the specification at page 5, lines 7-11; and page 24, lines 3-5.

The amendments to the claims and new claim 21 do not introduce any new matter.

Claims 1-20 were rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent 6,312,812 to Hauser et al. (hereinafter also referred to as "Hauser"). Hauser fails to anticipate the above claims.

As discussed at said interview, claim 1 and claims dependent thereon relate to a chemical conversion coating agent that comprises a water-soluble epoxy compound containing an isocyanate group and/or a melamine group. Namely, there is a chemical bond between a water-soluble epoxy compound, and an isocyanate group and/or a melamine group in this water-soluble epoxy compound containing the isocyanate group and/or the melamine group. On the other hand, Hauser merely suggests pretreatment compositions comprising two components of epoxy-functional material and crosslinking material respectively.

Namely, Hauser suggests, as discussed during the interview, these two components only as different components in a pretreatment composition.

Therefore, claim 1 is not anticipated by Hauser.

Concerning claim 2 as amended and claims dependent thereon, the chemical conversion coating agent further contains 1 to 5000 ppm of a chemical conversion reaction accelerator. Namely, the amount of the chemical conversion reaction accelerator is within a range from 1 to 5000 ppm according to that aspect of the present invention as recited in amended claim 2.

As pointed out in the office action, "citric acid" is disclosed as one of examples of mineral acids used for adjusting pH of the medium in Hauser. However, Hauser does not disclose the amount of "citric acid" at all. On the other hand, the "citric acid" of amended claim 2 is the chemical conversion reaction accelerator.

In forming a chemical conversion coat with a chemical conversion coating agent, an amount of a coat precipitated is different depending on the difference of location between an

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edge portion and a flat portion of a material, thereby the unevenness of the surface of a chemical conversion coat is generated. The chemical conversion reaction accelerator of amended claim 2 has an effect of suppressing such unevenness, so using it can form the evenness chemical conversion coat on an edge portion and a flat portion of a material.

Accordingly "citric acid" of the chemical conversion reaction accelerator of amended claim 2 is different from "citric acid" of pH adjuster of Hauser in the point of action and function in the chemical conversion coating agent.

The amount of the chemical conversion reaction accelerator is within a range from 1 to 5000 ppm according to that aspect of the present invention as recited in amended claim 2 for causing such action and function. Therefore it is clear that Hauser does not disclose the present invention of amended claim 2 and does not anticipate amended claim 2.

With respect to new claim 21, the chemical conversion coating agent does not contain chromium. Moreover it further contains at least one member selected from the group consisting of metal ions (A), copper ions (B) and a silicon-containing compound (C). Also, the above silicon-containing compound (C) is at least one member selected from the group consisting of silica, water-soluble silicate compounds, esters of silicic acid, alkyl silicates and silane coupling agents.

It was pointed out in the office action that "calcium or zinc ion" is disclosed in Hauser. Hauser further discloses chromate and dichromate salts of calcium or zinc as examples of the chromium-containing materials.

Therefore, Hauser only discloses a chemical conversion coating agent comprising chromium-containing materials such as chromate and dichromate salts of calcium or zinc.

Accordingly, it is clear that Hauser does not disclose a chemical conversion coating agent containing no chromium at all.

Also, it was pointed out in the office action that "silica" is disclosed in Hauser. However, as discussed during the interview, in Hauser, "silica" is suggested as a component of a weldable coating, and not disclosed as a component of a pretreatment composition at all. It is therefore clear that Hauser does not disclose the present invention as recited in claim 21 containing at least one member selected from the group consisting of silica, water-soluble silicate compounds, esters of silicic acid, alkyl silicates and silane coupling agents.

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Accordingly, claim 21 is not anticipated by Hauser.

Hauser fails to anticipate the present invention. In particular, anticipation requires the disclosure, in a prior art reference, of each and every recitation as set forth in the claims. *See Titanium Metals Corp. v. Banner*, 227 USPQ 773 (Fed. Cir. 1985), *Orthokinetics, Inc. v. Safety Travel Chairs, Inc.*, 1 USPQ2d 1081 (Fed. Cir. 1986), and *Akzo N.V. v. U.S. International Trade Commissioner*, 1 USPQ2d 1241 (Fed. Cir. 1986).

There must be no difference between the claimed invention and reference disclosure for an anticipation rejection under 35 U.S.C. 102. *See Scripps Clinic and Research Foundation v. Genetech, Inc.*, 18 USPQ2d 1001 (CAFC 1991) and *Studiengesellschaft Kohle GmbH v. Dart Industries*, 220 USPQ 841 (CAFC 1984).

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Please charge our Deposit Account No. 22-0185 in the amount of \$1020.00 covering the fee set forth in 37 CFR 1.136(a), under Order No. 21581-00310-US from which the undersigned is authorized to draw.

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Respectfully submitted,

By  
Burton A. Amernick

Registration No.: 24,852

CONNOLLY BOVE LODGE &amp; HUTZ LLP

1990 M Street, N.W., Suite 800

Washington, DC 20036-3425

(202) 331-7111

(202) 293-6229 (Fax)

Attorney for Applicant